

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

J&J HOLDINGS AND ASSETS, LLC
AND JACOB BURBAS

PLAINTIFFS

v.

CIVIL ACTION NO. 1:24-CV-96-GHD-DAS

BRANDON WONG, SOCIAL FINANCE, INC.,
AND SOFI, N.A.

DEFENDANTS

ORDER OF DISMISSAL WITHOUT PREJUDICE

On May 21, 2024, the plaintiffs J&J Holdings and Assets, LLC and Jacob Burbas filed their Complaint against the defendants Brandon Wong, Social Finance Inc., and Sofi, N.A. [1]. Under Federal Rule of Civil Procedure 4(m), the plaintiffs had until August 19, 2024, to serve the defendants after filing their Complaint. However, the plaintiffs have not had summonses issued or taken any other action on their Complaint since its filing.

On June 24, 2024, July 30, 2024, and September 3, 2024, the Clerk issued notices of incomplete process as to the defendants. On September 4, 2024, this Court ordered the plaintiffs to show cause as to why their case should not be dismissed under Federal Rule of Civil Procedure 4(m) for their failure to have summonses issued and served on the defendants [2]. Rule 4(m) dictates “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m).

The Court’s Show Cause Order states that “the plaintiffs’ failure to respond to this Order or establish good cause for their failure to timely effect service of process will result in dismissal of this action.” [2]. The plaintiffs’ response was due no later than September 20, 2024, yet the

plaintiffs have altogether failed to respond. Therefore, the plaintiff's Complaint is dismissed without prejudice and this case is CLOSED.

SO ORDERED, this the 8th day of October, 2024.



SENIOR U.S. DISTRICT JUDGE